

California Regional Water Quality Control Board  
North Coast Region

Public Hearing and Notice of Issuance of an Order

Administrative Civil Liability Order No. R1-2007-0069  
For  
Violation of Waste Discharge Requirements Order No. R1-2000-71  
and Order No. R1-2006-0001  
NPDES No. CA0022756

In the Matter of  
City of Crescent City  
Wastewater Facility  
WDID No. 1B84006ODN

Del Norte County

On May 15, 2007, the California Regional Water Quality Control Board, North Coast Region (Regional Water Board), Executive Officer issued Administrative Civil Liability Complaint No. R1-2007-0035 to the City of Crescent City (Discharger). The Complaint assessed mandatory minimum penalties in the amount of \$24,000 for late submittal of monitoring reports for the Discharger's wastewater treatment facility.

Water Code Section 13385(l) allows the Regional Water Board to direct a portion of the penalty amount to a supplemental environmental project (SEP). The Discharger paid \$4,500 into the State Cleanup and Abatement Account and proposes to spend an additional \$19,500 on a SEP. The proposed SEP is the construction of the last segment in a three-segment project to provide a multipurpose trail from city limits to city limits along the coast in Crescent City. The last segment, called the Harbor Trail, would continue the existing trail from the Cultural Center easterly to Sunset Circle. The SEP also involves restoration of a wetlands area that has been designated as providing significant storm water runoff. The planting of a variety of native plants would help sediment from entering Elk Creek channel and the planting of willows will help stabilize the creek.

The SEP will also include construction of a bridge to cross Elk Creek. The bridge will divert foot traffic away from the wetland and help protect two special status plants, the Wolf's evening primrose and beach pea. The bridge will also create handicap access to the Elk Creek overlook and the coast line. Also provided by the SEP is the construction of a trailhead with public parking access, a small public restroom, interpretive signs and trail information, fencing, landscaping and signage. The total estimate amount of the SEP is \$1,183,505, of which the City of Crescent is paying about \$300,000. The rest of the funding will come from the Nature Conservancy, and the city will be doing the work.

### ***Public Hearing Procedures***

The Regional Water Board will hold a public hearing on this matter on October 25, 2007 at 9:00 a.m., or as announced in the Regional Water Board's summary agenda to be mailed on or about October 1, 2007. The meeting is scheduled to be held in the Best Western Weaverville Victorian Inn conference room, 1709 Main Street, Weaverville, California. At the hearing, the Regional Water Board will consider whether to affirm, reject, or modify the proposed Civil Liability, or take other enforcement action.

If the Discharger or interested persons would like the Regional Water Board to consider technical reports, testimony, and other evidentiary material concerning this issue, written copies of such documentation must be submitted to the Regional Water Board office at 5550 Skylane Boulevard, Suite A, Santa Rosa, California, 95403, by 5:00 p.m. on September 17, 2007. This written material will be made available to the Regional Water Board members and all interested persons.

Written material received after the above date will not be accepted, except at the discretion of the Regional Water Board Chair. Untimely written material will not be accepted or incorporated into the administrative record if doing so would prejudice the Discharger or the Regional Water Board staff. The Chair may choose to modify this rule upon a showing of severe hardship (California Code of Regulations, Title 23, Sections 648.1 and 648.4).

All those who plan to testify at the hearing must submit written statements to the Regional Water Board by September 17, 2007. The statements should provide the name of the witness, their qualifications (if an expert), and the scope of their intended testimony. Testimony at the above-scheduled hearing may summarize or explain timely submitted or late-accepted written evidence, but shall not add new evidence. The time constraints for oral testimony or comments will be set by Regional Water Board Chair and usually will allow no more than ten minutes each for Regional Water Board staff and the Discharger and three minutes each for other interested persons. A timer may be used and speakers are expected to honor the time limits. Where speakers can be grouped by affiliation or interest, such groups will be expected to select a spokesperson and not be repetitive.

### ***Document Review***

The Order is available for review on the Regional Water Board web site at <http://www.waterboards.ca.gov/northcoast/agenda/pending.html>. That document as well as the other evidentiary documents and file may be inspected or copied at the Regional Water Board office on Mondays through Fridays from 8:00 a.m. to 5:00 p.m. Appointments are recommended for file review. Appointments may be made by calling (707) 576-2220. For further information, please contact Regional Water Board staff member Nancy Negley at (707) 576-2657 or at [nnegley@waterboards.ca.gov](mailto:nnegley@waterboards.ca.gov).

Luis G. Rivera  
Assistant Executive Officer

August 15, 2007

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